# IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE \_\_\_\_\_ DIVISION

^	·	DIVISION	- F-3
Ca	rolyn Fluter )		017FE
	) )		EB 13
	)		ST CO
Name	e of Plaintiff	Case No.3:17-020	
~	Brain Claydroot  auth English, (thris Hunt)	(To be assigned by Cl Jury Demand □ Ye	erk)
<u>Jebba</u>	e Kalish Keipness,	v	
MrK	Vi Hambrick, Cyoquana Hambrigh	,	
Man	nis Webb, Tony Anthony)		
Name	e of Defendant(s)		
	COMPLAINT UNDER TITLE VII	OF THE CIVIL RIGHTS A	ACT OF 1964
1.	This action is brought pursuant to Title Rights Act of 1991, for employment di upon the Court by 42 U.S.C. § 2000e-U.S.C. § 2000e-16. Relief is sought u 1981a(b).	scrimination. Jurisdiction is 5, or, if the Plaintiff is a fec	specifically conferred leral employee, by 42
2.	Plaintiff, Carolyn Fluke	<sub>~</sub> , is a citizen of the United	States and resides at
	3242 Spears no. Street address	City	ishville, In.
	County State	Zip Code Teleph	5) (89-5955 none Number
3.	Defendant, Nikki Hambrek (40000	inna Hambrokresides at, or its l	ousiness is located at
÷	1200 Contennal Street address	Bled , No City	while,
	Davidson, JH County, State	7, 37209. Zip Code	

(If more than one Defendant, NIKK) Hanbrick	list the name	and address of ea	12/065	TIMORICA
Elizabeth Englis	sh -	Carlex	G-1955	
Marvin Webb		( arlex		America
Unris Hurst		Carle	L Glass	s America
Delblire Radish-R	&5P1&55	Carl	ex Glo	iss Americ
Brian Claybrook		Carl	ex Glo	ass Ameri
Plaintiff sought employment		endant or was em	ployed by the	Defendant at
Street address			City	· · · · · · · · · · · · · · · · · · ·
County	tate	Zip Code	_•	
Defendant discriminated aga this Complaint on or about _	inst Plaintiffi 1377 Mon		icated in parag	graphs 8 and 9 of 2016. Year
Plaintiff filed charges against or the Equal Employment Op discrimination indicated in	portunity Cor	nmission chargin	g the Defenda	nt with the acts of
Month	Day	Year	•	
The Equal Employment Opposissued a Notice of Right to S	ue which was	nission or the Uni received by Plair of which Notice	ntiff on	artment of Justice
Day Year		or which itoucc	is actionion,	
Because of Plaintiff's (1)	]	race, (2)	color, (3)	Sex,
(4) religio	n (5)	national	origin, the De	fendant:

	a failed to employ Plaintiff.
	bterminated Plaintiff's employment.
	c failed to promote Plaintiff.
	dretaliated against Plaintiff for having filed a charge of discrimination.
	eother. Explain:
9.	The circumstances under which Defendant discriminated against Plaintiff were as follows:
	Mikki Hambrick - descripting by body stating I have a big body and stating I have a big body and stating I have a big body and stating I have a big body in first of the in the work place. I reported to the iwas suspended with the stages.  Marvin Webb- You need a Man in the work place I reported that to Human Report
Cori Ridij	Debbre Radish - Harassment - by blocking me in the hallaway where I Couldn't moved. Cause I didn't write the Letter how they wanted me to Cause an entrapment for to Lose my bid Job.
	to Lose my bid Job: Tong Anthony - Horessment - Folsely writing - up Stating I wall OFF-the Line to prevent from moving to a petter Job: suspende (You may use additional paper, if necessary.)
10.	The acts set forth in paragraph 8 of this Complaint:
	a are still being committed by Defendant.
	b are no longer being committed by Defendant.
	c may still be being committed by Defendant.

11. Plaintiff attaches to this Complaint a copy of the charges filed with the Tennessee Human Rights Commission or the Equal Employment Opportunity Commission, which charges are submitted as a brief statement of the facts supporting this Complaint.

WHEREFORE, Plaintiff prays that the Court grant the following relief:
a direct that Defendant employ Plaintiff, or
b direct that Defendant re-employ Plaintiff, or
c direct that Defendant promote Plaintiff, or
d order other equitable or injunctive relief:
e direct that Defendant pay Plaintiff back pay in the amount of
and interest on back pay;
f direct that Defendant pay Plaintiff compensatory damages: Specify
the amount and basis for compensatory damages:
g direct that Defendant pay Plaintiff punitive damages in the amount of
because Defendant engaged in a discriminatory practice of
practices with malice or with reckless indifference to Plaintiff's federally protected rights
as described in paragraphs 8 and 9 above; and that the Court grant such other relief as ma
be appropriate, including costs and attorney's fees.
(Signature of Plaintiff)

Bran Claybrook - Herassourt - Sakey Wrote me 11/22/16 Up eventhose I Was released by another amplogée Gloria Armstead, Constantals been retaliated by superior Chris Aust - Harassment refused to Comple Superintedet 10/15/16 Mg Roquest needed a Union Representative presented before been sont home, which i was relorved by another amployee (Jonthan) Who work over on my Line (WSI) Human Curi Richter + HRmanger I Sent home for during Resource manger investigation with Pay, but they didn't pay me my money of the 19 days out. 2/4/17 Jong Anthony - Harassmort, Call me off the line to inform of a discplinary notice at the end of shift. I ask why! No answer on 25) 2017 I Filed a grivance Cause he were stop from moved of to mg New Position, Mrs. Debbie Radish suspended by text massage, on Feb 8, 2017. also, he Call ne off the line I can't make an money the Company their 2/13/17 I still suspended now.

#### U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

#### DISMISSAL AND NOTICE OF RIGHTS

To:	3242	yn A. Fluker Spears Rd.	From:	Nashville Area Office 220 Athens Way	
	Nashv	ville, TN 37207		Suite 350 Nashville, TN 37228	
	_				
[		On behalf of person(s) aggrieved whose identity is			
FFO	C Charge	CONFIDENTIAL (29 CFR §1601.7(a))  ENO. EEOC Representative			Telephone No.
LLO	o onarge	Deborah K. Walker,			
494	-2017-0	0424 Supervisory Investigator			(615) 736-2109
THE	EEOC	IS CLOSING ITS FILE ON THIS CHARGE FOR THE	FOLLO	WING REASON:	
		The facts alleged in the charge fail to state a claim under any	y of the s	tatutes enforced by the EE	OC.
		Your allegations did not involve a disability as defined by the	America	ans With Disabilities Act.	
		The Respondent employs less than the required number of e	employee	es or is not otherwise cover	ed by the statutes.
	Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge				the date(s) of the alleged
	The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.				raised by this charge.
		The EEOC has adopted the findings of the state or local fair	employn	nent practices agency that i	nvestigated this charge.
		Other (briefly state)			
		- NOTICE OF SUIT (See the additional information a	RIGH to	TS - o this form.)	
Disc You	rimina may file	e Americans with Disabilities Act, the Genetic Infor- tion in Employment Act: This will be the only notice o e a lawsuit against the respondent(s) under federal law at be filed <u>WITHIN 90 DAYS</u> of your receipt of this n me limit for filing suit based on a claim under state law m	based ( based ( otice; c	on this charge in federal or your right to sue based	or state court. Your
alled	ed EPA	Act (EPA): EPA suits must be filed in federal or state co A underpayment. This means that backpay due for any file suit may not be collectible.	ourt with violati	in 2 years (3 years for wi ons that occurred <u>more</u>	Illful violations) of the than 2 years (3 years)
		On behalf of	the Com	mission	DEC 2 9 2016
Enel	laguragia'	- Jum ()	1 . <u>/</u>	10 Mus 1	(Date Mailed)
Enci	osures(s)	Sarah L. Sr Area Office D			,
CC:	Co	ori Ritchie		,	
	Hu	man Resource Manager			
		NRLEX GLASS PLANT 00 Centennial Blvd.			
		shville, TN 37209			

EEOC Form 5 (11/09) Agency(ies) Charge No(s): Charge Presented To: CHARGE OF DISCRIMINATION This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form. **FEPA** 494-2017-00424 **EEOC** and EEOC Tennessee Human Rights Commission State or local Agency, if any Home Phone (Incl. Area Code) Date of Birth Name (indicate Mr., Ms., Mrs.) 1957 (615) 689-5955 Mrs. Carolyn A. Fluker City, State and ZIP Code Street Address 3242 Spears Rd., Nashville, TN 37207 Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.) Phone No. (Include Area Code) No. Employees, Members (615) 350-5625 500 or More **CARLEX GLASS PLANT** City, State and ZIP Code Street Address 7200 Centennial Blvd., Nashville, TN 37209 No. Employees, Members Phone No. (Include Area Code) Name City, State and ZIP Code Street Address DATE(S) DISCRIMINATION TOOK PLACE DISCRIMINATION BASED ON (Check appropriate box(es).) Latest 12-25-2016 12-25-2016 NATIONAL ORIGIN RELIGION SEX COLOR X RACE GENETIC INFORMATION DISABILITY X RETALIATION AGE CONTINUING ACTION OTHER (Specify) THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)): I am a female. I have been employed by the Respondent since November 16, 2015 as a Production ssociate. On August 12, 2016 I filed EEOC Charge #494-2016-01743 based on race, color, age, sex and

Associate. On August 12, 2016 I filed EEOC Charge #494-2016-01743 based of Tacc, doin, age, ask retaliation against the Respondent. On August 24, 2016, I filed Charge #494-2016-01867 based on disability and retaliation against the Respondent. On November 28, 2016 I filed Charge #494-2017-00281 based on sex and retaliation. On December 25, 2016, Superintendent Chris Hurt got too close to me and touched me from behind. I complained to Supervisor Brian Claybrook and Vice President Debbie Radish-Repspree.					
I believe that I have been discriminated against based on against, in violation of Title VII of the Civil Rights Act of 19 Employment Act of 1967, as amended.	my race/Black, sex/female, age/59, and retaliated 964, as amended, and the Age Discrimination in				
	NOTARY - When necessary for State: ##0 Local Agency Requirements				
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their	STATION OF THE STATE OF THE STA				
procedures.	I swear or affirm that I have need the above change and that it is true to				
I declare under penalty of perjury that the above is true and correct.	the best of my knowledge, information and belief				
	SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE				
Dec 27, 2016 (Moly Holy)	(month, day, year)				
Date Case 3:17-cv-002 has in Park signed 1 Filed (	2/13/17 Page 7 (2) PageID #: 7				
	THE IS				

EEOC Form 5 (11/09) Agency(ies) Charge No(s): Charge Presented To: CHARGE OF DISCRIMINATION **FEPA** This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form. 494-2017-00281 EEOC and EEOC Tennessee Human Rights Commission State or local Agency, if any Date of Birth Home Phone (Incl. Area Code) Name (indicate Mr., Ms., Mrs.) 1957 (615) 689-5955 Mrs. Carolyn A. Fluker City, State and ZIP Code Street Address 3242 Spears Rd., Nashville, TN 37207 Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.) Phone No. (Include Area Code) No. Employees, Members (615) 350-5025 15 - 100 CARLEX GLASS AMERICA, LLC City, State and ZIP Code Street Address 7200 Centennial Blyd., Nashville, TN 37209 Phone No. (Include Area Code) No. Employees, Members Name City, State and ZIP Code Street Address DATE(S) DISCRIMINATION TOOK PLACE DISCRIMINATION BASED ON (Check appropriate box(es).) Latest 11-22-2016 11-14-2016 NATIONAL ORIGIN RELIGION SEX RACE COLOR GENETIC INFORMATION DISABILITY AGE RETALIATION CONTINUING ACTION OTHER (Specify) THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)): I was hired by the above-named employer on November 16, 2015 as a Production Associate. The company employs fifteen or more employees. On November 12, 2016 I was subjected to unwelcome comments of a sexual nature by Marvin Webb, I reported the situation to my employer on November 14, 2016. On November 22, 2016, Marvin Webb made some false allegations and I was sent home and suspended without pay. I believe that I am being discriminated against because of my gender (female) and retaliated against for filing an internal complaint of sexual harassment in violation of Title VII of the Civil Rights Act of 1964, as amended. gency Requirements I want this charge filed with both the EEOC and the State or local Agency, if any. I NOTARY will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their rge and that it is true to irm that I have read the abo the best extray knowledge, information and SIGNATURE OF COMPANIANT I declare under penalty of perjury that the above is true and correct. Charging Party Signature

UNION GRIEVANCE GRIEVANCE 91619A Local No.\_ Date Stamp Submission Employee Classification Employee Signed: Not necessary to fill in enclosed space when Grievance concerns Union Rights ONLY Nature of Grievance\_ Violation of Article. MKER THIS DEEN ON LEAVE SINCE Statement of Case LOMDANY PAID SchEOULED DOUS OF WORK. THE UNION MISSED WORK DUE TO UNDESESSARY by the way the company handled hed complaint changes. The Adjustment Requested: Signed (Bargaining Committee) Date Stamp Disposition Disposition by Company 1/23/2 16 Sich State State of (Signed)

Document 1 Filed 02/13/17 Page 9 of 27 PageID #: 9

All Grievances Must Be "Date Stamped" by Company Representative on Date Presented and Disposed

WHITE - ORIGINAL — CANARY - DUPLICATE — PINK - TRIPLICATE — GOLD • QUADRUPI IGATE

.RcVd:

9/30/16



#### **AGREEMENT**

Carlex Glass America, LLC ("Company") and UAW Local 737 ("Union") agree to resolve Grievance 91619A (the "Grievance") on the following terms.

The Company does not agree that the Grievance has merit, and in particular does not agree that it handled any previous complaint of the Grievant, Carolyn Fluker, improverly.

The Union submits that the Grievance has merit and that the Grievant should receive back wages for 19 missed days.

After full discussion, the parties agree to resolve the Grievance by payment to the Grievant of nine and one half days of back wages, calculated at eleven and one half hours per day at her usual hourly rate.

This resolution is not considered precedential for any other grievance or dispute, whether currently pending or arising in the future, and neither party will use or attempt to use the resolution of the Grievance in connection with any other grievance, arbitration, or dispute between the Company and the Union.

AGREED TO BY:

Company	Union
By: Whiteder Figure	By: Steve Cut
Its: LATER S FADISE RESPESS	Its: Steve CARt
Date: 22 Sopt Zillo.	Date: 9-29-16

Copy principal to Englise in 728-16

# Corrective Action

CarleX Corrective Action	on Report	Shift: C	Disposition By:	Del McClure	Date: 6/12/16
Employee ID: 8757 Employee Name: Carolyn Fluker					
Company Seniority 11/16/15		tion Associate	•	Dept: 2506	
Present Charge: R	epeatedly not being at	work stat	tion at assigned tim	es.	
Penalty: Balance of shift + a day  Date Assessed: 6/12/16-6/13/16			2/16-6/13/16		
Facts Supporting	harge:				

Facts Supporting Charge:

At 8:30am the line was down for repairs to the lamination washer. Once the line was operable, we were unable to start, because Ms. Fluker was in not in position. Ms. Fluker was found in the break room. She was instructed to come back to the line. Ms. Fluker has been coached and warned on several occasions to follow the break schedule and be timely. Ms. Fluker has also been warned of the penalties of failure to do so.

Employee Signature (If No): Union Rep. Date of Discussion: requested: 6/12/16 Union Rep Signature (If one is Requested) Labor Relations Signature:

1-Supervisor, 1-HR, 1-Union Rep

November 30, 2016

Carlex Glass Plant

7200 Centennial Blvd.

Nashville, Tn. 37209

Telephone (615)350-5026 or (615)350-7782 or (615)350-7789

Attention: Hal Musler (Vice President of Global Operations for Carlex Glass Company), Don Fisher (Head Plant Manager), Debbie Radish-Respree (Vice President of Human Resource), Christine Rocca Della (New Director of Human Resource Manager) and Elizabeth English (Manager of Human Resources)

RE:

Sex Harassment Advancement Complaint

Claimant:

Carolyn Fluker

Respondent: Nikki Hambrick (aka Yoquana Hambrick)

I Carolyn Fluker, reported the following Sexual Harassment claims as follows:

• March 6, 2016 – I was transferred to the area where Yoquanna Hambrik "Nikki" has been working in for the past for years. On this same day, Nikki told me that I had a nice body, shape and booty, "you have a nice booty for your age". Nikki further bumped her booty on my booty and hit me on the shoulder. I told Nikki to please get her hands off me. I reported these incidents to my supervisor, Del McClure, my Lead, Brian Claybrook, Lead, Benjamin Stevens and Superintendent of Carlex Glass, Chris Hurt. Mr. Claybrook told Nikki to "leave me alone". I was present when Mr. Claybrook told this to Nikki. At this time, Mr. Hurt did not file an incident report.

On April 1, 2016, I met with Human Resource (HR) Manager, Cori Ritchie and Larry Griffery. Ms. Ritchie said she would speak with Nikki regarding this incident. Ms. Ritchie wrote something down at that time. I asked for a copy of what Ms. Ritchie wrote but I was refused. On April 2, 2016, Nikki apologized to me at work about what she did.

- On June 11, 2016, Nikki again said to me that "I have a nice body" and that "my breasts are a nice size". I told Nikki that I do not want to hear that. She made me feel uncomfortable. Nikki later asked me to see a movie. I then told Nikki, I am not a lesbian, I am married to a man. I told Mr. Claybrook again and he again told Nikki to leave me alone.
- On July 25, 2016, Nikki was sitting on a stool at work, she then proceeded to lift up her shirt and turned to face me while holding her shirt up showing me her gray bra and stomach for about thirty (30) seconds. Company policy states that you have to wear your shirts tucked in and you must wear a belt. I reported this incident on July 28, 2016 to HR Manager, Cori Ritchie.

Other co-workers have been treated similarly by Nikki. (Nicole McKissah (615) 397-2955 and Rhonda Johnson.

On August 3, 2016, Carlex Glass started an investigation and I was told by HR that I was being put on leave with pay while the investigation was ongoing. Carlex ended my employment pay on August 12, 2016. Carlex terminated my benefits and deactivated my ID badge.

Since I reported the sexual harassment incidents, I've been retaliated against by being sent home continuously and wrongly written up under corrective actions.

I have been written up as per the following: (please see attached documents)

• June 12, 2016 – Corrective Action: "At 8:30am the line was down for repairs to the lamination washer. Once the line was operable, we were unable to start because Ms. Fluker was not in position. Ms. Fluker was found in the breakroom. She was instructed to come back to the line. Ms. Fluker has been coached and warned on several occasions to follow the break schedule and be timely. Ms. Fluker has also been warned of the penalties of failure to do so." I was sent home for failure to be on the production line during my assigned time. This was my 1st written warning.

This was absolutely not true. I was on the line and I did not leave the line. This "incident" was fabricated because just the day before this on June 11, 2016, I attempted to file another sexual harassment claim against Nikki. That complaint was never written up by my supervisor or HR. Instead, they tried to punish me.

- On July 14, 2016, I wrote a letter to Carlex Glass Plant and CCed: Human Right Commission and Supervisor, Del McClure. \*Please see attached.
- On July 18, 2016, I wrote my own Complaint against Yaquanna Hambrick (Nikki). I
  addressed this to Carlex Glass Plant of Nashville. \*Please see attached.
- On July 28, 2016, I filed a letter against Ms. Cori Ritchie regarding her trying to entrap me to sign paperwork I didn't agree to. \*Please see attached.
- On August 5, 2016, I filed an Employee Suggestion Plan Idea Sharing Suggestion Form.
   \*Please see attached.
- On August 8, 2016, I was finally able to file a Charge of Discrimination against Nikki and against my Supervisor, Leads and HR Managers who failed to protect me even though they had ample notice of these allegations. I filed on the basis of discrimination, retaliation, sexual harassment and gender discrimination. \*Please see attached.
- On August 11, 2016, I wrote a letter regarding the meeting that was held in the corporate
  office of the Vice President on this day between Time Change UAW #737, Bargain
  Chairman Steve Cart, Vice President of Human Resources, Debbie Radish-Repress and
  Human Resource Manager, Cori Ritchie along with myself. \*Please see attached.

- August 15, 2016 Medical Note from Dr. Julie Donohue at Neighborhood Health. "Carolyn Fluker is currently under my medical care and may not return to work at this time. Please excuse Carolyn for 2 days. She may return to work on 8/17/16. Activity is restricted as follows: None. \*Please see attached.
- August 16, 2016 Medical Note from Dena Wampler, APN, PMHNP-BC at Neighborhood Health. "I am a mental health provider that saw Carolyn Fluker in clinic today. She was seen for increased anxiety and nightmares due to situational stressors at work. She started medication today and will be seen back in clinic in two weeks. Any consideration you can give to extend her leave of absence would be greatly appreciated. \*Please see attached.
- On August 22, 2016, I filed a police report with the Metro Police Department regarding Sexual Harassment in the work place. \*Please see attached.
- On August 24, 2016, I filed a Charge of Discrimination that was presented to the EEOC regarding my mental disability due to all the sexual harassment from Nikki and the retaliation from Carlex Glass America, LLC. \*Please see the attached Charge of Discrimination along with a letter from me.
- On August 25, 2016, a Union Grievance was filed for Unfair Penalty. "Ms. Fluker was placed on a paid leave of absence on 8/3/16 pending investigation of sexual discrimination charges. The union feels Mrs. Fluker should continue to be paid until her doctor feels she is able to return to work due to the stress that was caused by this situation and the way it was handled." \*Please see attached.
- On August 25, 2016 a letter from HR Manager, Cori Ritchie was drafted regarding Carlex Glass America, LLC working something out with Carolyn should her FMLA not be approved. \*Please see attached.
- August 29, 2016 Affidavit of Nicole McKessah "Yaquana Hambriell, a femaile that comes on to a lot of women here, especially the new women employees. Nothing is said or done. She has tried to get me to go out with her to Charlie Bob's. I said, No. A lot of stuff gets swept under the rug. It depends on who you are. She also comes on to Dridgette Anderson. She also went off on her. Bridgette actually lost her job. \*Please see attached.
- September 1, 2016 Medical Note from Dr. Lindsey Murkette at Neighborhood Health.
   Mrs. Fluker would like to return to work on 9/7/16. \*Please see attached.
- September 7, 2016 A "Notification Letter" from me to Cori Ritchie, Debra Radish-Repess and Christie Oclaray (Director of Human Resources) regarding coming back to work. \*Please see attached. Please also see theattach other five (5) letters written by me on 9/7/16 for various reasons.

- September 9, 2016 Please see attached letter from me regarding getting information from HR and returning to work and how HR is preventing me from and entrapping me to get me fired.
- September 15, 2016 Letter from Carlex denying my FMLA. \*Please see attached.
- September 15, 2016 I returned to work on 9/7/16 like I was supposed to but Cori Ritchie sent me home and I have been out of work ever since, for no reason. \*Please see attached.
- September 19, 2016 Union Grievance "Mrs. Fluker has been on leave since 8/3/16 while the company paid her through 8/12/16. She has missed 19 regular scheduled days of work. The Union contends Mrs. Fluker missed work due to unnecessary stress caused by the way the company handled her sexual harassment complaint charges. The Union requests that Mrs. Fluker be paid all back pay and for her to be brought back to work on 9/22/16 on her regular scheduled shift". \*Please see attached.
- September 21, 2016 Corrective Action Report for incident on (10/15/16) Violation of Company Policy Walking Off Line/Stopping Production. AGAIN....this is not true.
- September 24, 2016 Union Grievance filed by the Union on behalf of Carolyn Fluker to refute the Corrective Action Report for incident on 10/15/16. \*Please see attached.
- September 29, 2016 Agreement between Carlex Glass and the Union. \*Please see attached.

I have been made a fool out of, harassed, embarrassed, intimidated, stressed, humiliated and picked on since I reported the first incident in March 2016. I have been seeing a psychiatrist over these issues.

Sincerely,

Carolyn Fluker

complaint. I have done nothing wrong. I do my work, go home and come back to do my work all over again. On September 22, 2016 I walked outside on my break and noticed a funny smell so I looked over and saw Superintendent, Chris Hurt and my Supervisor, Brian Claybrook and several employees smoking marijuana. I reported this to Human Resources, Elizabeth English and to the Director of HR, Christina Rocca. As you can imagine, absolutely NOTHING was done about this. But oddly enough, I was written up again and sent home for some fabricated reason. I am attaching a copy of every write-up I have received.

This is not true for any reported violation of the company rules: I have been sent home June12, 2016, for reporting incident of the Sex Harassment Advancement on June11, 2016. Another incident happen on 7/25/2016 inapproiate behavioral occurred in the workplace the alleged person pulled her shirt up in front of me exposing he body parts. August 3,2016 with pay August 12,2016. Therefore I have not been paid the full 21 days missed from work, as the union representative Steve Cart stated in the grievance on 9-19-2016 cause the Sex Harassment were missed handled, I was sent home on 9-7- 2016 by for not writing the letter in their favor. 10-15-2016, I were sent home again by Superintendent Chrs Hurst , and Brian Claybrook Superintendent on Fabrications, and both refused to call a union representative as I requested before been sending me home, and my right was violated as a union member at that time, I'm continue been retaliated sent home on 11/22/2016 on a Fabricated Write-up by both Leadership authority team Superintendent (Chris Hurst) .

On November 17, 2016 I reported a sexual harassment complaint to the Human Resource Manager, Elizabeth English with the presence of Local UAW #737 representatives Larry Griffey, and Steve Cart. Employee Marvin Webb made a comment to me out of nowhere that made me very uncomfortable. I am a married woman and Mr. Webb walked up to me and said "Do you need a man?" Oddly enough (sarcasm), Mr. Webb received no punishment for his actions. This comment was made in front of Team Lead, Lawanda Amison.

I have been forced to continue to work in close proximity to booth Nikki (Yoquana) Hambrick and Marvin Webb. I have been made a fool out of, harassed, embarrassed, intimidated, stressed, humiliated and picked on since I reported the first incident in March 2016. I have been seeing a psychiatrist over these issues. I don't understand how anyone could think that this type of treatment is ok. I am appalled that these higher ranking "adults" in this company would actually conform to work code violations instead of upholding them. In order to save myself and my sanity, I switched shifts just to get away from the accused.

On November 17, 2016 I was asked by the HR Director, Christina Rocca and EEOC what it would take to resolve these issues. To me this means, what will it take to shut me up! Again, I am appalled at these people who call themselves "adults". I have been considered taking this issue to Channel 2, Channel 4 and Channel 5 news. This type of treatment and cover-up is truly

my supervisor, I feel that my Corrective Active Action should be remove from my file and it's a setup for entrapment to prevent me from getting better jobs and better Pay within the Company. I have great Character about myself, I always been a possible person to help others. Within the plant or outside the plant, I'm' a friendly person and willing to give good advice to others. Mr. Marvin Webb made an inapproiate Sex Harassment Comment Statement toward Mrs Carolyn Fluker which she felt embarrass, intimidating, and disrespectful, and violated the Privacy Act against my will in the workplace.

Kind regard.

Carolin Huker

playing a huge negative role in my life. I have filed criminal charges of sexual harassment against Ms. Hambrick with the Metro PD.

On September 7, 2016 I was asked to write a letter stating I request to be transferred to another shift. I wrote the letter saying that I accept the transfer they requested instead of saying that I requested it, because I didn't. So because of this, Human Resource Manager, Cori Ritchie and the Vice President of Human Resources, Debbie Radish-Respree brought me in the hallway and surrounded me, they even held their arms out so that I couldn't move, and stated how angry and upset they were that the letter was not written to their satisfaction. I told them that I was not changing the letter because I was not going to lie to appease them. Then, I went down and filed harassment and bullying charges with Metro PD.

Even though I am on a different shift, Ms. Hambrick and I still overlap each other when changing shifts. Ms. Hambrick is still harassing and intimidating me. She is intentionally trying to create a hostile work environment. I emailed and reported this to the Director of Human Resources, Christine Della. It's so stressful coming to work knowing that I am not protected against this stuff and that even my superiors are joining in on it. It's despicable!!!!!!!!!!!

I shall be compensated by company all the time lost of working days missed from work for the unnecessary behavioral in workplace by negatively employees, and by the Human Resource Manager, Elizabeth English, Placing me on a final basic on 10/15/2016 False Reporting by Superintendent Chris Hurst and supervisor Brian Claybrook, as well as his Nephew Marvin Webb release person who work in set -up. Which we are still working on the same line WS1 Night Shift. They keep writing me up to prevent me from get better Jobs, and more money, and me home on corrective Action on fabrications. The Human Resource Manager of Carlex Glass Company have put me under lots of stress and hardship in ways. Lost of income, lack of sleep, and force been terminated for doing the right thing, following the Carlex company Rules. I shall be compensated for the headaches, troubles that the company throught. I will be willing to settle this matter of a \$150.000 dollars. And not to be continue retaliated, and removed the falsified corrective Active from my files and. Chris Hurst ,should be terminated for violating my right requesting a union member of the Local UAW#737 represent which he stated he wasn't. gonna call a union representatives. And we don't have a union on site, and he email HR, I ask for a copy of the email that was sent to HR (Elizabeth English) Manager. Human Resource Manager refused to handled Sex Harassment complaint in the Proper manner according to the Carlex Glass Company Plant policy. We orientated on the policy during

## Carolyn Fluker - 0003175 - CARLEX GLASS AMERICA, LLC

### **Employee Observations**

	•
Carolyn Fluker	Newest Oldest
Add your comments	
<b>Visibility</b> Private ☐Include in Review Post	
	Edit Delete
Carolyn Fluker said 12/27/2016 8:58 PM	
I carolyn Fluker ERT member at Carlex Glass Plant of NASHVILLE present at the time, I apprecia and Brian Claybrook for saving a life at Carlex Glass Plant on December 25,2016. on Christmas D became ill on the trim table. i yelled and got supervisor ERT Brian Clay brook.	te if someone would thank me ay, I noticed an employee
	Edit Delete
Carolyn Fluker said 12/27/2016 8:36 PM	
On December 26,2016 @approximately 6:00 am. I Carolyn Fluker, were a meeting with Vice-Presi Carlex Glass Plant, and on the Phone with a former employee Christine Della Rocca, and Union Fidiscussing my wrongfully write-up by Christ Hurst (superintendent) and refusing to comply with the constitutional rights, The investigation was fraud ally done by Mrs. Debbie Radish, and a none eminvestigation secretly and off the clock. My supervisor Brian Claybrook informed me that Mrs. Christ 12/20/2016 a week before 2wks up. Mrs. Debbie Radish are retaliating against me cause I filed a complaint against her, and Corti Ritchie with the Metro Police Department On September 8,,2016. reported to her about Chris Hurst standing behind me and touch me, which happen on December Claybrook told me to report it to the Human Resource Tuesday., I told christ Hurst him he was in rand why. IHe jump back quickly. sex harassment	e union contract, and violated my ployee of carlex doing the strine Della Left her Job on Bully Harassment also, on December 26,2016 I 25,2016, My supervisor Brian
Carolyn Fluker said Veported as well 12/26/2016 2:34 AM	Edit Delete
I Carolyn Fluker report an incident occurred on 12/25/22016 to my immediately supervisor Brian Chris Hurst walk up in my personal space and rub against my butt, after i told him he was to close was talking to my supervisor Brian Claybrook Face -to-face. Ne Ne who work over B crew she he my personal space, and she witness the conversation. Also, I didn't even know He was behind m part rub against me in my personal space that made me very uncomfortable, unwelcome and inap Sex Harassment in the workplace. My supervisor Brian Claybrook witness Christ Hurst envading Hurst denied been in my Personal Space.	as that he jump back if while hard me tell Christ Hurst he was in the until i felt someone else body propriate behavorial, and
	Edit   Delete
Carolyn Fluker Said 12/15/2016 12:12 AM	
Carolyn Fluker vacation day approved by Supervisor Brian Claybrook (WS1) informed her verbal 12/15/2016 @approximately10:50pm. another employee will work in my place in the lamination ro	in the Lamination room on om on my vacation Day.

Icarolyn Fluker @approx. 7:00pm 12/09/2016 don't appreciate the team lead person Lawon armon on (A) crew call me an "Old Bat" cause i wouldn't go home, and she had a era attitude toward me. I stated to her that Brian Claybrook didn't put my vacation time in the computer, and i didn't want anyone to put in the computer "No Call No Show"

so she call Chris Hurst to put it in. and I agreed to stay to help them out on the line, cause WS1 was short too. even those I have ERT trianing in the morning. I'm working with Marvin Webb very surrounding area, and on the same line. Marvin Webb found my Credit Card, I made a Police report as well, nothing never done when employee report violate the company policy. but to retaliate again the victim. twice Sex Harassment, reported nothing done to the alleged parties at work, just continue, I bid on a job get the notice after the Due date. From 11/21/2016-Dec.7- 2016 received the notices of the bid job set-up, the supervisor Brian Claybrook nor the superintendent (Chris Hurst) me of the two Bid Job in November 21,2016 But was sent home on Nov 22,2016 frame again.

Edit | Delete

Carolyn Fluker said... 12/09/2016 8:57 PM

I Carolyn Fluker can to work on my vacation day 12/09/16, and for 12/10/16 cause Brian Claybrook didnt process time off in the computer, so, Chris Hurst said i can leave. i will return for Emergency Response Team Training on 12/10/2016 saturday at 8:00am. Also, Mrs. Fluker informed the union Representative (Marsha Griggs) @ 7:30pm about me leave, Chris Hurst Approval before leaving. /she stated superintendent informed her tonight.

Edit Delete

Carolyn Fluker said... 12/08/2016 8:32 PM

Dear Mrs. Christine Rocca (Director Human Resource, I Carolyn Fluker report to you by phone, pertaining to the missing lost Credit Card at work.2 Employee inform me that Bran Claybrook Supervisor of WS1, and Marvin Webb found the Credit Card but, never return it to me while was at work, on Dec.2,2016 and made attempt process information from the card. Also., they inform Marvin Webb known for taking other people property, They stated Marvin Webb tried to claim someone else \$20.00 Dollars the person lost at work, and another found it and ask who lost the money, that's when Marvin Webb claim like it's was his. But it found to be another employee. I reported the unwelcome Sex Harassment comment to Elizabeth English (Human Resource Manager) and Director Human Resource Manager. The 2employee reported to me in the break room about the missing Credit Card, continue retaliation at work.

Edit Delete

Carolyn Fluker said... 12/05/2016 10:56 PM

Attention: Jill Anderson temporarily Manager, Vice President Hal, Musler of Carlex Glass Plant Global, Don Fisher, Head PLant Manager, Christine Rocca, Director Human Resource, Vice President Human Resource Manager Debbie Radish -Respress, I Carolyn Fluker are reporting an employee by the name of Marvin Webb found my Credit Card in the plant with my name on it, but, never return it to me on December2, 2016, I call the bank, the bank at approximately 12.:30 to stop the process in time. Earlier I saw Marvin Webb red card in his wallet showing it to Brian Claybrook supervisor, wish that's his nephew, and we all works on the same line WS1

Edit | Delete

- - - ~

Carolyn Fluker said... 11/30/2016 10:14 PM

To whom may concern, Please remove those falsify corrective Action from my file, from the begining of the Sex Harassment Complaint reporting. I first report the incident to superintendent (Chris Hurst) and nothing done, and constant retaliated by him. also, he wrote up falsify document on me, and given misleading to Human Resource manager (Elizabeth English)., to get me sent home of his personal feeling, and not treating employees fair. He cover up important information and don't try to resolved problems except sending you withhout pay. I need my back pay from the 4days plus over time which i work on the following Thursday.date 10/15/2016. also, He violated my constitutional right as union member Local UAW#737 by denied me a union representative present before sending me on 11/22/2016.

Edit Delete

Carolyn Fluker said... 11/26/2016 5:53 AM

To whom may concern, I Carolyn Fluker witness supervisor Brian Claybrook yelling at Lurther Lewis, which was total disrespectful, but, don't yell at his Nephrew (Marvin Webb) he can go anywhere outside the plant to the store, he don't monitor his breaks, nor Joshua Gardner, disappear for hours pop-up at the end of shift. Several times, We need Mr. Jessie Holme, for superintendent on WS1 night shift cause he respect the employees on the line as a whole team. Also, show appreication as well. Brian Claybrook come down on employees in the lamination Room only. He take hisfrustraction on us. and retaliate against employees for speak the true about his behavioral. Marvin Webb, report everything to him, but don't report the things he do! and get away with. You can't report to the Superintendent (Christ Hurt) because he's going to back him in any Fabrication situation, whether he's wrong or right.

Edit Delete

Carolyn Fluker said... 11/26/2016 3:56 AM

On 11/23/2016 Mrs. Carolyn Fluker were wrongfully sent home again. By Christ Hurst and Brian Claybrook, stating to the union representative Marsha Griggs that HR call them, stated to sent Carolyn Fluker home. Brian Claybrook let an low senority employee work in my place. also, she couldn't perform the whole duty of the job. she didn't know how to trim either. I was framed again, and retaliated, intimidated, harassed again.

Edit Delete

Carolyn Fluker said... 11/26/2016 3:42 AM

On 10/15/2016 I Carolyn Fluker request a union representative before been sent home, Christ Hurst superintendent and Supervisor Brian Claybrook refused to call local union representative. Christ Hurst stated I"m balancing my shift and we don't have a union representative on duties, which suppose to call a representative. Also, he violated my Constitutional Right of law My grievance shall be overturned to be pay my 4days plus overtime day on Thursday.

Edit Delete

Carolyn Fluker said... 11/26/2016 1:58 AM

I Carolyn Fluker, have inquired about been Cross-trained on the lehr, supervisor Bran Claybrook but he let some with less senority trained. My supervisor (Bran Claybrook more focus writing me up to provent from been qualify for and job. constantly Harassed by Superintendent(christ Hurt) and Bran Claybrook only cause I reported the Sex Harassment to both in the workplace. Also, I were wrongful written-up on each incident of the, Sex Harassment reported incidents. Since I reported the sex harassment I"ve been sent home, every month started August-2016-November-2016.Discrimnation aganist,, Retaliated, intimidated, and continue harassment, and Im still working around the alleged Sex harassment advance by the two employees on the job, Marvin Webb (male) and (Female) Nikki Hambrick.All the Corrective Action should be discard from my file. punishment for reporting violation on the Job.

Edit Delete

Carolyn Fluker said... 11/25/2016 9:53 PM

I Carolyn Fluker tried to report overlay to superintendent Chris Hurst, Marvin Webb they was unconcern, Marvin Webb keep runing back tell his uncle conflicted story to get Carolyn in trouble. Brain Claybrook (supervisor) and Bran list to him, will not communication with me he pass information to others. He angry cause I report his Nephrew (Marvin Webb) making Sex Harassment Comment toward Mrs. Carolyn Fluker. "Stating Do I need a man" in the Workplace. Chris Hurst will not be good Candidate for Head Plant Manager, We need an outside Human Resource Manager. inorder to correct the problems around this Plant. They dont follow the Carlex Policy

Edit Delete

Carolyn Fluker said... 11/22/2016 9:55 PM To Don Fisher, Head Plant Manager,

I Carolyn Fluker are constantly been harass by my supervisor(Brain Claybrook, and Superintendent Christ Hurst their always Plotting something everyweek, I have always been a dedicated employee, and a hard worker, True i reported Sex Harassment against Brain Claybrook cousin, and he's retaliating aganist. I which this Harassment would stop. Theier not monitor any one else behavioral but me . everyone have more priveledge than me. Im bringing Harassment Charges aganist both.

Edit Delete

Carolyn Fluker said... 11/22/2016 9:31 PM

To whom May Concerned, I carolyn Fluker report supervisor Brain Claybrook Not communicating with me as a teamplayer on the line, He"s trying to intimidate me in everyway possible alone with christ Hurt watching me and not watching others employees. I been trying to communicate with Brain Claybrook, but his attitude toward me is so negative, only cause Im report to him defect products, He's yelling at me in front of others employees, and he retaliating aganist as well, If i tell him about the defect products he tell me inform the set-person, continue yelling in front of these.Mrs. Christine ask us to communicate among each others, but he refused to do so, but focus on trying to entrape with write-up him Christ Hurst working aganist me and fabricate anything possible, Mission and vision is to send out Quality Glass of Carlex Glass. The supervisor are not monitoring the glass probably. I not done anything wrong, Its not professional when leadership employees not acting in good standard of the Company either.

Edit Delete

Carolyn Fluker Said... 11/18/2016 5:45 AM

To whom it may concerned, I Carolyn Fluker, ask my supervisor Brain Claybrook to put time in for Thursday 11/17/2016, but he refused, and he told let HR put my in! time go in on Saturday.for this week. Thank, Im still been a team player for the Company.

Edit Delete

Carolyn Fluker said... 10/15/2016 7:24 PM

To Human Resource, Don Fisher, Debbie Radish.

Brain Claybrook not been fair to people who work on his shift, he let overtime employee work where they wants to work and leave Carolyn Fluker in the lamination room. I told him is sick and am going home. Joshu tell him where to put employees. And joshu don't nothing but clock-in and he;s not a team-player either, and Brain never tell Joshu to do anything all day he sat on the bench out side. He's retaliating against me. Yetersday, Brain stated i was a good trimmer to the They New Supervisor Lee Washington. I inform Brain that i was fell sick before i left work on 10/15/2016. Joshu creating a conflict on the shift, and mad cause he got demoted of his positions,

Edit Delete

Carolyn Fluker said... 10/14/2016 11:06 PM

To Don Fisher, Plant Manager, /Debbie Radish -Respress Human Resource

Mr. Brain ClayBrook, is the best supervisor on WS1, he should be promoted to Superintendent, He's knowledgeable and, dedicated to his job duties. He perform better than Superintendent Chris Hurt. WS1 A-Crew night Shift. and met the production quote to satisfy the customers orders.in a timely deadline, (error administration of the time well)

Edit Delete

Print Preview Page 5 of 5

To Debbiie Radish -Respress Vice President Human Resource / Union Representative Steve Cart UAW#737 I would like to be pay the due balance owed to Mrs. Carolyn Fluker in the amount 1.370 .52 . I received the partial payment \$1105.79 Grievance Payment check stub. Therefore, I need my remaining balance owed to me from the 21 days missed from work . I didnt cause the hostile environment in the work place Sex Harassment by employee Yoquana Hambrick.

contiune been retaliated., i reported Tim Chance been intoxicated on September 19,2016 meeting which he was unable to perform his job as an union representative chairman person. I need good representative get me the due balance of the settlement payment .Thank you. I didn't agree to the disposition that was never discussed with me before he signed anything documents . with no notice,

494-20116-01763

November 14, 2016@ 6:05am

Carlex Glass Plant

7200 Centennial Blvd

Attention: Director Of Human Resource

Attention: Enoc Head Plant Manager



Victim: Carolyn Fluker

Alleged Party: Marvin Webb

Allegations against: Marvin Webb violation in the workplace Sex Harassment

Sex Harassments Comments incident: reported to Larry Griffey UAW#737. And Steve Cart UAW# 737, Human Resource Manager (Elizabeth English) or Sissle English, whom was present at the meeting on the above date and time.

On the above date and time, I Carolyn Fluker report to the administration office (HR) in reference to Employee Marvin Webb stating a Sexual Harassment Comment toward her Quoted! "You need A Man" in the Workplace, in the present of a surrounding employee (Team lead). So, I reported to the team lead, I couldn't report it the Supervisor Brain Clay brook cause their related, and the superintendent Chris Hurts cover up everything too, later they both will retaliated against you for following the policy of Carlex Glass Plant, and fabricates something on you cause they have that privileges. The incident reports happens on November 12, 2016 @ approximately 9:00am or before the shift were over.

I ask the team lead why employee Marvin Webb so angry toward me, He always trying to set me up for entrapment, he tell me go to break and then he leave before I get back> I never been disrespectful toward him, nor any employee, I just believe in been a team player, and followed the Carlex Company Policy at all time. Sex Harassment Comment share not be stated nor in the workplace at any time, and it against the company policy as well. And against the code of ethic, and the TCA. The protectant work ethic. Even those I'm the only female in the lamination room, and work with all male in the lamination room. Marvin webb, tried to influence other to have a negative attitude toward me. Also, he mad cause I wrote up a statement on his uncle the supervisor of WS1 night shift, and Marvin Webb feel like can tell everybody what to do. And he constant trying to retaliate against me any way possible, He" not

something again was a violations with two other employee, but it's a problem. I ask her can I have a copy of the narrative report that Mr. Del Mcclure written, and I just received the copy of the Correction Action, july 28,2016. I ask her to remove it from my HR file. Stated (NOI) Mrs. Cori Ritchie Therefore I been penalty for someone else actions, which mean she not following the company policy.

On July 29, 2016 I report to work on my regular shift I started working trimming windshield glass, but night shift supervisor (Bran Clay Brook ) He stop me for working wanting to talk measking me go would I like work in Value Ad department I Stated No because I have a Bid job, (Supervisor Tony) stated he didn't know what going on and he just filling for Del McClure while he's still on Vacation. I didn't supposed to be moved off my job again, and he threaten me with insubordination if I didn't go to EPBI line, and tried to argue of coming on to employee Shawn Hicks Which he work in WS1 line, I told Bran that's fabricated as well. I stated to him I have done anything wrong either. Their Constance trying to relatate against. He ask me to sign a form, I stated NO . I haven't done anything wrong nor violate any rules. Bran is not my supervisor he work on night shift, he settimg me up for entrapments. He's act like run the whole plant as the operator (plant manager). I even told the plant manager bout Nikki Hambrick behavioral as well. Chad Coffee and the team lead (Benjamini Steverson) didn't report it to HR was wrong for majuana (Weed ) in the plant , He pulled it from his back pack at work on the premises. I told security, and HR Managr of the two employee

orientation, and trainging before assigned to duties. And sigh off on the Sex Harassment Policy and watch videos of work Place violation Policy.

If I report any incidents of the company violation, it get cover-up by Superintendent Chris Hurst and the Human Resource Team. I'm still suffering with this continue working with the negative by both alleged party sex behavioral, Marvin Webb constant rolling his eyes, at me. But, Im. Still working in a hostile environment cause of the complaints.

been continue intimidated by received letter on 9/14/2016 in the mail from Cori Ritchie contract work for Carlex Glass Plant.

See Attachment

Signed arby This Date 9/15/16